

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA

KEVIN S. JELLISON,
Petitioner,

v.

SACRAMENTO COUNTY SHERIFFS
OFFICE, et al.,
Respondents.

Case No. [23-cv-00009-HSG](#)

ORDER OF DISMISSAL

Plaintiff filed the instant *pro se* petition for a writ of habeas corpus pursuant to the All Writs Act. Dkt. No. 1. On February 21, 2023, the Court dismissed the petition with leave to amend because it was unclear what relief Petitioner sought, and because the All Writs Act was not relevant in this context. Dkt. No. 8. Petitioner filed an amended petition. Dkt. No. 9. On May 2, 2023, the Court dismissed the amended petition with leave to amend because it suffered from numerous deficiencies. Dkt. No. 10. Petitioner was ordered to file a second amended petition by May 31, 2023. *Id.* The deadline to file a second amended petition has passed, and Plaintiff has neither filed a second amended petition nor otherwise communicated with the Court. Accordingly, for the foregoing reasons and for the reasons stated in the Court's May 2, 2023 order of dismissal with leave to amend, this action is DISMISSED.

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The dismissal is without prejudice to filing a motion to reopen accompanied by a proposed second amended petition that addresses the deficiencies identified in the Court's May 2, 2023 Order and that addresses why Petitioner failed to timely file a second amended complaint. The Clerk shall enter judgment in favor of Respondent and against Petitioner, and close the file.

IT IS SO ORDERED.

Dated: 6/23/2023


HAYWOOD S. GILLIAM, JR.
United States District Judge

United States District Court
Northern District of California